

This listing of claims will replace all prior versions, and listing of claims in the application:

**Listing of claims:**

Claim 1 (currently amended) A capsule extraction device (16, 32, 56) comprising

a first part (2, 30, 50);

a second part (3, 34) that can be moved relative to the first part;

a housing (4, 35) for the capsule and defining, in the a closed position of the movable part against the fixed part, an extraction position of the capsule along an axis (25) in said housing;

an insertion and positioning part comprising means (6, 7, 31) ~~of~~ for guiding the capsule arranged so as to insert the capsule by gravity and position said capsule in an intermediate position;

a drink pouring system (19, 53); and

~~characterized in that~~

the second movable part (3, 34) is so arranged and constructed ~~configured~~ to move the capsule (16, 32, 56) from the intermediate position into the extraction position when the device is closed.

Claim 2 (currently amended) The device as claimed in claim 1, ~~characterized in that it comprises~~ comprising stopping means (20) configured to keep the capsule (16) in the intermediate position along an axis (26) offset relative to the axis (25) of the capsule in the extraction position in the housing (4).

Claim 3 (currently amended) The device as claimed in claim 2, ~~characterized in that~~ wherein the second movable part (3) is configured to force the capsule (16) to ~~go~~ move past the stopping means (20) when the capsule travels from its intermediate position to its extraction position.

Claim 4 (currently amended) The device as claimed in claim 1, ~~characterized in that it comprises~~ comprising stopping means (31, 51, 52, 57) ~~configured so constructed and arranged to keep maintain~~ the capsule (32, 56) in the intermediate position along an axis substantially coaxial with the axis (25) of the housing.

Claim 5 (currently amended) The device as claimed in claim 4, ~~characterized in that wherein~~ the second movable part (34) acts on the opening of the stopping means (31) to move ~~them it~~ aside when the capsule travels from its intermediate position to its extraction position.

Claim 6 (currently amended) The device as claimed in claim 1, wherein ~~any one of the preceding claims, characterized in that~~ the first part (2, 30) is fixed and comprises a substantially horizontal guide body (14) to guide in translation the second movable part (3, 34) toward the first fixed part (2, 30).

Claim 7 (currently amended) The device as claimed in claim 6, wherein ~~characterized in that~~ the part for inserting and positioning the capsule is placed in front of the guide body (14) and comprises two guidance means (6, 7, 31).

Claim 8 (currently amended) The device as claimed in claim ~~5~~ 7, ~~characterized in that wherein~~ the guidance means (31) are pivoting and ~~form or~~ comprise stopping means arranged to immobilize the capsule (32) in an intermediate position when the second movable part (34) is in the open position allowing the insertion of a capsule and ~~to~~ release the capsule when the second movable part (34) is in the closed position; ~~in order to allow~~ allowing the capsule to move from ~~this the~~ intermediate position to the extraction position and ~~to allow said~~ allowing the capsule to be released when the second movable part (34) is reopened.

Claim 9 (currently amended) The device as claimed in claim 1, ~~characterized in that it comprises,~~ comprising in front of the guide body (31), a retractable stop (51), placed beneath the movable part.

Claim 10 (currently amended)      The device as claimed in ~~any one of claims claim 1 to 9, comprising~~ characterized in that it comprises an extraction plate (30, 55) toward which the second movable part (3, 34) moves the capsule to the extraction position.

Claim 11 (currently amended)      The device as claimed in ~~any one of claims claim 1 to 10, wherein~~ characterized in that the second movable part (3, 34) is moved by means (8) ensuring the movement to the open and closed position.

Claim 12 (currently amended)      The device as claimed in claim 11, ~~characterized in that wherein~~ the means (8) ensuring the movement are a system of rods (9, 10, 11, 12, 18).

Claim 13 (currently amended)      The device as claimed in ~~any one of claims claim 1 to 12, wherein~~ characterized in that the reopening of the second movable part (3, 34) allows the capsule to fall by gravitation.

Claim 14 (currently amended)      The device as claimed in claim 13, wherein ~~characterized in that~~ the capsule is guided in its fall by the guidance means (6, 7, 31).

Claim 15 (currently amended)      A coffee machine comprising: a capsule extraction device comprising a first part, a second part that can be moved relative to the first part, a housing for the capsule and defining, in a closed position of the movable part against the fixed part, an extraction position of the capsule along an axis in said housing, an insertion and positioning part comprising means for guiding the capsule arranged so as to insert the capsule by gravity and position said capsule in an intermediate position, a drink pouring system,

and the second movable part is so arranged and constructed to move the capsule from the intermediate position into the extraction position when the device is closed; ~~the device as claimed in any one of claims 1 to 14, characterized in that the machine comprises, in addition, a water tank; a water pipe; a pump for moving the water; means of heating the water and a water outlet in the movable part of the device.~~

Claim 16 (new)      A capsule extraction device comprising:

a first part;

a second part that can be moved relative to the first part;

a housing for the capsule and defining, in the closed position of the movable part against the fixed part, an extraction position of the capsule along an axis in said housing;

an insertion and poisoning part allowing said capsule to be positioned in an intermediate position;

a drink pouring system; and

the second movable part so constructed and arranged to move the capsule from the intermediate position into the extraction position when the device is closed.